

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FILED
HARRISBURG, PA

NOV 20 2020

PER *[Signature]*
DEPUTY CLERK

Ishmael Burk NHO208 :

Full Name of Plaintiff Inmate Number :

v.

Ms Lang :

Name of Defendant 1 :

Mr Rankins :

Name of Defendant 2 :

Ms Grassmeyer :

Name of Defendant 3 :

J. Miller :

Name of Defendant 4 :

Mr Verone :

Name of Defendant 5 :

(Print the names of all defendants. If the names of all
defendants do not fit in this space, you may attach
additional pages. Do not include addresses in this
section).

1. See Attachments
1. See Attachments

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

- ☒ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)
- ☐ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

Name of defendant-6

6 officer hann

7 officer cassol

8 L. Smith

9 D~~a~~fisher

6 officer han n
correctional officer
sci smithfield
1120 Pike street huntingdon PA 16652

7 officer cassol
correctional officer
sci smithfield
1120 Pike street huntingdon PA 16652

8 officer L Smith
correctional officer
sci smithfield
1120 Pike street huntingdon PA 16652

9 D Fisher
Plea officer
sci smithfield
1120 Pike street huntingdon PA 16652

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Burk Ishmael Ali

Name (Last, First, MI)

NH0208

Inmate Number

Sci smithfield

Place of Confinement

1120 Pike street

Address

PO Box 999 huntingdon PA 16652

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Lang

Name (Last, First)

correctional officer

Current Job Title

Sci smithfield

Current Work Address

1120 Pike street huntingdon PA 16652

City, County, State, Zip Code

Defendant 2:

Rankins
Name (Last, First)
Correctional officer
Current Job Title
Sci Smithfield
Current Work Address
1120 Pike Street Huntingdon PA 16652
City, County, State, Zip Code

Defendant 3:

Verone
Name (Last, First)
Correctional officer
Current Job Title
Sci Smithfield
Current Work Address
1120 Pike Street Huntingdon PA 16652
City, County, State, Zip Code

Defendant 4:

Miller J
Name (Last, First)
Pennsylvania State Police
Current Job Title
NA
Current Work Address
PA
City, County, State, Zip Code

Defendant 5:

Grassmyer
Name (Last, First)
Mail Supervisor
Current Job Title
Sci Smithfield
Current Work Address
1120 Pike Street Huntingdon PA 16652
City, County, State, Zip Code

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

Sci Smithfield, 1120 Pike Street
Huntingdon PA 16652

B. On what date did the events giving rise to your claim(s) occur?

April of 2019 - May 2019 - June 2019

C. What are the facts underlying your claim(s)? (For example: What happened to you?
Who did what?)

In April of 2019 I was raped and tied up. I proceed and told correctional officers Co Verone and Co Lang but I was ignored. I went on to tell counselor Ms Himes and she said that I will report it to the highest official. A month past and nothing was done. I was moved to D-Block, then the pandemic hit, I reported the incident again after months have past and that's when I wrote to Just Detention International. And they told me to write to a PRea officer so I reported it to Lt Banks. I told Lt Banks what happen and told him how I feared that I had a sexual transmitted disease and I told him everytime I sit on the ~~toilet~~ toilet I bleed from my rectum. I requested a Sexual Assault (Rape) Kit to be administered And Lt Banks told me no
(see Attachment)

Pg 2

Lt Rankins told me he would call the state police to take a report. Two weeks later state trooper J Miller met with me. Asked me four questions and said if the allegations are unfounded I would receive a write up and would not get out of jail. About a month later Mr Rankins and J Miller called me down to the office. Gave me two misconducts and told me that I lied about the sexual assault and that's when Mr Rankins spit in my face and Mr Miller grabbed me by the throat and said you stupid nigger you lied about being sexually assaulted. I begged both of them to let me go meaning Mr Miller saying afterwards that I was assaulted. Mr Rankins dismissed me and said before I left that I would never see the day of light ever again and that he will stick me in a cell with a rapist and that's what Mr Rankins did. I was in a cell with a rapist who threatened to kill me. As I reported to security and that inmate was removed from my cell. Mr Rankins continuously put inmates in my cell who

Pg 3

are Rapist or child molester's, > Miller Also has threaten me with false misconducts so I won't be released on time. Mr D. Fisher the Prea officer has stopped me from seeking medical service for my torn Rectum and my constant Bleeding. I was also getting outside counseling But Mr Banks and D Fisher has stopped me from getting counseling And seeking The correct help that I need. D Fisher has also threaten me with false misconducts so I won't be released on time

Pg - 1

On August 24, 2020 A search was conducted on my cell by officer hann, officer cassol and co L. Smith. My legal mail was ripped from its envelop and taken. No contraband was found at all but my important legal documents were taken. I wrote a grievance (886318) But it was denied. This is not the first time, Ms Grassmyer has taken my legal mail, Books and magazines. And she has stopped my legal mail from being sent out legal mail for my criminal case and my civil lawsuit. Due to Ms Grassmyer stopping my legal mail from being sent out I have missed legal deadlines and due dates. Ms Grassmyer would open and destroy my legal mail when my attorney would send it to me causing my attorney Patrick McMeamin to ask the judge for continuances. I wrote Ms Grassmyer and wrote a grievance but nothing was done so hann, cassol and co Smith destroyed my legal mail and was directed by Ms Grassmyer to take my Book/Magazines and legal mail.

Pg 2

And to this day my mail (in coming)
is being looked through and my (out going)
mail is not being sent out.

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

The First Amendment protects my right to send and receive letters, prison officials cannot read or take legal mail but they can inspect it in my presence it for contraband. The Eighth Amendment, the fourth Amendment

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

I suffer from a torn Rectum and constant bleeding. Physical issues stemming from Rape

VI. RELIEF

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

I Am seeking \$140,000 for damages in the event I need surgery, I Am also Asking the judge for a restraining order I Am seeking my own cell And for a fair shot at Parole and I want the jail to stop taking my legal mail Magazine and books

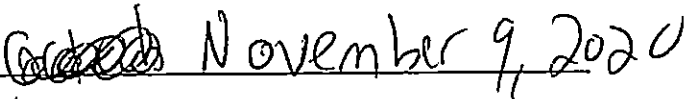
VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.



Signature of Plaintiff



Date

Ishangel Burk-NH0208
Sci Smith Field
PO Box 999
1120 Pike Street
huntingdon PA 16652

RECEIVED
HARRISBURG, PA

NOV 20 2020

PER f.a.
DEPUTY CLERK

Office of the Clerk
United States District
Middle District of Penn.
US Courthouse
228 Walnut Street
P.O. Box 999